

**§ 292.5 Proposal selection process.**

The proposal evaluation and selection process will consist of three principal phases: Proposal qualifications; proposal review and selection of finalists; and award determination as follows:

(a) *Proposal qualification.* All proposals will be reviewed by NIST to assure compliance with the proposal content and other basic provisions of this part. Proposals which satisfy these requirements will be designated qualified proposals; all others will be disqualified at this phase of the evaluation and selection process.

(b) *Proposal review and selection of finalists.* NIST will appoint an evaluation panel to review and evaluate all qualified proposals in accordance with the evaluation criteria and values set forth in this part. Evaluation panels will consist of NIST employees and in some cases other federal employees or non-federal experts who sign non-disclosure agreements. A site visit may be required to make full evaluation of a proposal. From the qualified proposals, a group of finalists will be numerically ranked and recommended for award based on this review.

(c) *Award determination.* The Director of the NIST, or her/his designee, shall select awardees based on total evaluation scores, geographic distribution, and the availability of funds. All three factors will be considered in making an award. Upon the final award decision, a notification will be made to each of the proposing organizations.

**§ 292.6 Additional requirements.**

*Federal policies and procedures.* Recipients and subrecipients are subject to all Federal laws and Federal and Department of Commerce policies, regulations, and procedures applicable to Federal financial assistance awards.

## PART 295—ADVANCED TECHNOLOGY PROGRAM

### Subpart A—General

Sec.

295.1 Purpose.

295.2 Definitions.

295.3 Eligibility of United States- and foreign-owned businesses.

295.4 The selection process.

295.5 Use of pre-proposals in the selection process.

295.6 Criteria for selection.

295.7 Notice of availability of funds.

295.8 Intellectual property rights; publication of research results.

295.9 Protection of confidential information.

295.10 Special reporting and auditing requirements.

295.11 Technical and educational services for ATP recipients.

### Subpart B—Assistance to United States Industry-Led Joint Research and Development Ventures

295.20 Types of assistance available.

295.21 Qualifications of proposers.

295.22 Limitations on assistance.

295.23 Dissolution of joint research and development ventures.

295.24 Registration.

295.25 Special rule for the valuation of transfers between separately-owned joint venture members.

### Subpart C—Assistance to Single-Proposer U.S. Businesses

295.30 Types of assistance available.

295.31 Qualification of proposers.

295.32 Limitations on assistance.

AUTHORITY: 15 U.S.C. 278n.

SOURCE: 55 FR 30145, July 24, 1990, unless otherwise noted.

### Subpart A—General

**§ 295.1 Purpose.**

(a) The purpose of the Advanced Technology Program (ATP) is to assisted United States businesses to carry out research and development on high risk, high pay-off, emerging and enabling technologies. These technologies are:

(1) High risk, because the technical challenges make success uncertain;

(2) High pay-off, because when applied they offer significant benefits to the U.S. economy; and

(3) Emerging and enabling, because they offer wide breadth of potential application and form an important technical basis for future commercial applications.

(b) The rules in this part prescribe policies and procedures for the award of cooperative agreements under the Advanced Technology Program in